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WHEREAS, the process for permitting plantings in the City's parkways is in need of review and it is desirable to establish more detailed parkway standards to promote safety, access to the public rights-of-way, visibility of pedestrian and vehicle traffic, and elimination of potential hazards and nuisances; and

NOW THEREFORE, the City Council of the City of Culver City, California,
DOES HEREBY ORDAIN as follows:

SECTION 2. Subchapter 9.08.700 “Parkway Landscaping Guidelines” is hereby added to Chapter 9.08, Streets, Sidewalks and Parkways, of the Culver City Municipal Code as follows:

§ 9.08.705 Definitions

§ 9.08.710 Residential Parkway Landscaping Guidelines

§ 9.08.715 Parkways in Non-Residential Zones; Permit required

1 § 9.08.720 Violations Unlawful; Penalties

2 § 9.08.725 Conflict of Provisions

3
4 **§ 9.08.705 DEFINITIONS**

5 **Landscaping.** Ornamental live plant materials (trees, shrubs, vines,
6 groundcover or turf) in containers or at grade, and decorative hardscape areas.

7 **Parkway.** Land area between street curb and sidewalk.

8 **Residential Parkway Landscaping Guidelines.** The City of Culver City
9 Residential Parkway Landscaping Guidelines, established by resolution of the City
10 Council.

11 **Turf.** Single bladed grass or sod.

12 **§ 9.08.710 RESIDENTIAL PARKWAY LANDSCAPING GUIDELINES**

13 A. All landscaping of residential parkways in the City shall conform to the
14 Residential Parkway Landscaping Guidelines adopted by resolution of the City
15 Council, except as provided in § 9.08.710.C.

16 B. The Residential Parkway Landscaping Guidelines apply to all residential
17 parkways of the City.

18 C. Non-conforming landscaping existing at the time of the adoption of the
19 Residential Parkway Landscaping Guidelines may remain, until replaced with new
20 landscaping, which must conform to this Section, unless the non-conforming
21 landscaping causes or results in an unsafe or hazardous condition.

22 **§ 9.08.715 PARKWAYS IN NON-RESIDENTIAL ZONES—**

23 **PERMIT REQUIRED.**

24 No person shall plant or alter the landscaping in parkways located in non-
25 residentially zoned properties without first obtaining a permit to do so from the
26 City. Such permit shall state the variety of trees, shrubs, and plants to be planted
27 and the location and size thereof.

28 **§ 9.08.720 VIOLATIONS UNLAWFUL; REMEDIES**

 A violation of any provision of this Subchapter is unlawful and may be enforced
by any remedies available in law or equity, including those provided in Chapters 1.01
and 1.02 of this Code.

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SECTION 6. The City Council hereby declares that, if any provision, section, subsection, paragraph, sentence, phrase or word of this ordinance is rendered or declared invalid or unconstitutional by any final action in a court of competent jurisdiction or by reason of any preemptive legislation, then the City Council would have independently adopted the remaining provisions, sections, subsections, paragraphs, sentences, phrases or words of this ordinance and as such they shall remain in full force and effect.

APPROVED AND ADOPTED this _____ day of _____, 2016.

JIM B. CLARKE, Mayor
City of Culver City, California

ATTEST:

APPROVED AS TO FORM:

MARTIN COLE, City Clerk

CAROL A. SCHWAB, City Attorney